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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: BAKE, MICHAEL

Application No.: 10/506,441

Confirmation No.: 9967

Filed: March 11, 2003

Title: CONTACT BANK

RESPONSE TO RESTRICTION REQUIREMENT—ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

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11/9/07
Date

Vallarie Richards
Signed by: Vallarie A. Richards

Dear Sir:

Applicants submit this Response to Restriction Requirement – Election of Species in reply to the Examiner's Office Action dated October 10, 2007 in the above-identified application.

Because Applicants submit this paper within the shortened statutory period for reply set by the Examiner, Applicants believe that no fee is due. If Applicants are mistaken, however, please charge any required fee to Deposit Account No. 13-3723. Applicants' authorization includes authorization for the charge of fees associated with any necessary extension of time under the provisions of 37 C.F.R. § 1.136(a).

Specie Election

In response to the Examiner's requirement, Applicants provisionally elect the specie categorized by the Examiner as "Specie I" (Figures 1 and 4). Claims 1, 3-24 and 26-42 read on the elected specie, and each is generic to the elected specie. If claim 1 is found allowable, claims 4 and 25, directed to non-elected specie should also be allowed, since each depends from generic claim 1.

Applicants respectfully traverse the specie election requirement on at least two grounds. First, Applicants do not understand the Examiner's rationale for the five-way specie restriction by identification to and grouping of the Figures. Figures 1 and 2 of the application provide schematic circuit diagrams for two embodiments of a switching circuit associated with a contact bank. Figure 3 depicts a schematic circuit diagram of an alternative contact bank circuit for providing test and monitoring access to a line. Figures 4-9 provide illustrations of alternative embodiments of terminal modules. Any of these alternative terminal modules may include contact bank circuits of the type schematically depicted in Figures 1-3. Applicants therefore disagree that there is any unique correlation between or among the terminal modules illustrated in Figures 4-9 and the circuit designs diagramed in Figures 1-3.


Applicants also respectfully traverse the specie election requirement on the grounds that a search of the classes appropriate to both the elected and non-elected specie would necessarily include the Patent Office classes in which both would be searched.

Conclusion

For the reasons set forth above, Applicants respectfully request reconsideration and withdrawal of the specie election requirement. Should the Examiner determine that a telephone interview would be beneficial in resolving any remaining issues in this case, the Examiner is invited to telephone Applicants' undersigned attorney at the telephone number noted below.

Respectfully submitted,

November 9, 2007
Date

By: 

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